

NOTICE AND AGENDA

SPECIAL MEETING – TUESDAY, JANUARY 12, 2010

CITY HALL – 500 CASTRO STREET

5:00 P.M. – CLOSED SESSION

6:30 P.M. – REGULAR SESSION

5:00 P.M. – CLOSED SESSION (TO BE HELD IN THE PLAZA CONFERENCE ROOM)

1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)

2. CLOSED SESSION

2.1 Conference with Real Property Negotiator (§54956.8) – Property: 7.94 Acres of City-owned Real Property Commonly Referred to as Charleston East, Located Between Amphitheatre Parkway, Charleston Road and Shoreline Boulevard; APN 116-21-049 – Agency Negotiator: Ellis Berns, Economic Development Manager – Negotiating Parties: City of Mountain View and Robert Green, the Robert Green Company – Under Negotiation: Price and Terms of Payment for Ground Lease

2.2 Conference with Labor Negotiators (§54957.6) – Agency Designated Representative: City of Mountain View Assistant City Manager/Interim Employee Services Director Nadine Levin – Employee Organization: Service Employees International Union (SEIU), Local 521

6:30 P.M. – REGULAR SESSION (TO BE HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. ROLL CALL – Councilmembers Abe-Koga, Inks, Kasperzak, Macias, Means, Vice Mayor Siegel and Mayor Bryant.

3. PRESENTATIONS

3.1 Presentation from Chuck Page, League of California Cities.

- 3.2 Resolution of Appreciation to Laura Brown for her contributions to the Environmental Planning Commission and the community.
- 3.3 Resolution of Appreciation to Robert Chang for his contributions to the Environmental Planning Commission and the community.
- 3.4 National Blood Donor Month Proclamation to be accepted by American Red Cross Donor Recruitment Account Manager Mona Helmhold.

4. **CONSENT CALENDAR**

These items will be approved by one motion by roll call vote unless any member of the Council or audience wishes to remove an item for discussion. The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.

4.1 APPROVAL OF MINUTES – Approve minutes for the City Council Special Meeting of October 6, 2009.

4.2 Ordinance No. ____ – ADOPTION OF ORDINANCE AMENDMENT RELATED TO THE TRANSIT ZONE DISTRICT (SECOND READING) – Adopt AN ORDINANCE AMENDING CHAPTER 36 OF THE CITY CODE RELATED TO A MINOR TEXT AMENDMENT TO THE TRANSIT ZONE DISTRICT. (First reading: 7-0)

4.3 Ordinance No. ____ – ORDINANCE IMPLEMENTING CODE COMPLIANCE INSPECTION PERMIT (SECOND READING) – Adopt AN ORDINANCE ADDING ARTICLE V TO CHAPTER 25 OF THE CITY CODE, IMPLEMENTING A CODE COMPLIANCE INSPECTION PERMIT. (First reading: 6-1; Inks no)

4.4 Resolution No. ____ – RESOLUTION OF APPRECIATION – LAURA BROWN, ENVIRONMENTAL PLANNING COMMISSIONER – Adopt A RESOLUTION OF APPRECIATION TO LAURA BROWN FOR HER CONTRIBUTIONS TO THE ENVIRONMENTAL PLANNING COMMISSION AND THE COMMUNITY, to be read in title only, further reading waived.

4.5 Resolution No. ____ – RESOLUTION OF APPRECIATION – ROBERT CHANG, ENVIRONMENTAL PLANNING COMMISSIONER – Adopt A RESOLUTION OF APPRECIATION TO ROBERT CHANG FOR HIS CONTRIBUTIONS TO THE ENVIRONMENTAL PLANNING COMMISSION AND THE COMMUNITY, to be read in title only, further reading waived.

4.6 Resolution No. _____ – RESOLUTION OF APPRECIATION – CONTRIBUTIONS OF KASANDRA WINDER, LIBRARY BOARD MEMBER –
Adopt A RESOLUTION OF APPRECIATION TO KASANDRA WINDER FOR HER CONTRIBUTIONS TO THE LIBRARY BOARD OF TRUSTEES AND THE COMMUNITY, to be read in title only, further reading waived.

4.7 REJECT DEVELOPMENT PROPOSALS – CITY-OWNED BRYANT STREET PROPERTY (APN 158-11-033, 034, 035, 036, 037, 038, 039 AND 055) – Reject proposals for a mixed-use development project on a 1.45-acre City-owned property located on the west side of Bryant Street between California Street and Mercy Street.

4.8 Resolution No. _____ – 1079 MARILYN DRIVE, TRACT 9991 – ACCEPT PUBLIC IMPROVEMENTS AND ADOPT A RESOLUTION VACATING AND ABANDONING PUBLIC UTILITY EASEMENT

1. Accept the public improvements installed by the developer at 1079 Marilyn Drive, Tract 9991, for maintenance throughout their useful lives.
2. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW VACATING AND ABANDONING AN EXCESS PORTION OF A PUBLIC UTILITY EASEMENT WITHIN TRACT MAP NO. 9991, A 30-UNIT RESIDENTIAL SUBDIVISION, to be read in title only, further reading waived (Attachment 1 to the staff report).

4.9 STIERLIN ROAD TO NORTH SHORELINE BOULEVARD SIDEWALK CONNECTOR, PROJECT 08-48 – AWARD CONSTRUCTION CONTRACT –
Award a construction contract to RP Engineering Contractors, Inc. of Los Gatos, California, for the low bid price of \$26,427, including a \$5,000 construction contingency.

4.10 NEW FIRE STATION NO. 5, PROJECT 03-23 – AUTHORIZE ADVERTISING FOR RESPONSIBLE BIDDERS – Authorize advertising for determination of responsible bidders as the first phase of the bidding process for New Fire Station No. 5.

4.11 ADA CURB RAMPS, PROJECT 09-38 – APPROPRIATE CDBG FUNDS

1. Appropriate and transfer \$53,000 in Community Development Block Grant (CDBG) funds from CDBG 2009-10 Pedestrian Improvements, Project 10-46, to ADA Curb Ramps, Project 09-38. (Five votes required)
2. Return and transfer \$53,000 from Project 09-38 to the Construction/Conveyance Tax Fund.
3. Authorize the City Manager to award a construction contract for Concrete Sidewalk and Curb Repairs, Project 09-06; ADA Curb Ramps, Project 09-38; and Cecilia Way Valley Gutter, Project 09-39, to the lowest bidder if the low bid is within the project budget.

4.12 APPOINTMENT TO DOWNTOWN COMMITTEE – Confirm the appointment of David Lewis III as the neighborhood association's representative to the Downtown Committee for the year 2010 as recommended by the Old Mountain View Neighborhood Association.

5. PUBLIC HEARING

5.1 Resolution No. _____, Resolution No. _____ – RESOLUTION TO JOIN CALIFORNIAFIRST ENERGY EFFICIENCY, WATER EFFICIENCY AND RENEWABLE ENERGY FINANCING PROGRAM

Adopt two resolutions: (1) RESOLUTION AUTHORIZING THE CITY OF MOUNTAIN VIEW TO JOIN THE CALIFORNIAFIRST PROGRAM; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY; AND AUTHORIZING RELATED ACTIONS; to be read in title only, further reading waived; and (2) RESOLUTION AUTHORIZING SACRAMENTO COUNTY AS THE LEAD COLLABORATIVE AGENCY TO APPLY FOR FUNDS ON BEHALF OF MOUNTAIN VIEW, to be read in title only, further reading waived.

6. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda. Speakers are allowed to speak on any number of

topics for one three-minute period during the meeting. State law prohibits the Council from acting on nonagenda items.

7. COUNCIL, STAFF/COMMITTEE REPORTS

No action will be taken on any questions raised by the Council at this time.

8. CLOSED SESSION REPORT (OPEN SESSION)

9. ADJOURNMENT

The next Regular Council Meeting will be held on Tuesday, January 26, 2010, at 6:30 p.m. in the Council Chambers, 500 Castro Street.

NOTICE

There is a 90-day limit for the filing of a challenge in Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting. For information on the next regular or special City Council meeting, please call (650) 903-6304.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office, 500 Castro Street, Third Floor, during normal business hours and at the Council Chambers at City Hall, Second Floor, during the meeting. In addition, such writings and documents will be posted on the City's web site at www.mountainview.gov.

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COUNCIL MEETINGS AND AGENDA

- The City Council meets regularly on the second and fourth Tuesday of each month at 6:30 p.m. in the Council Chambers at City Hall, 500 Castro Street, Second Floor. Special meetings are called as necessary by the Mayor and noticed at least 24 hours in advance.
- Interested parties may review the agenda, minutes and staff reports at the Mountain View Library, 585 Franklin Street, beginning the Thursday evening before each meeting and at the City Clerk's Office, 500 Castro Street, Third Floor, beginning Friday morning. Agenda materials may also be viewed electronically at www.mountainview.gov. Staff reports are also available at the Council Chambers during the meeting.
- SPECIAL NOTICE – Reference: Americans with Disabilities Act, 1990. Anyone who is planning to attend the next City Council meeting who is visually or hearing-impaired or has any disability that needs special assistance should call the City Clerk's Office at 903-6304 48 hours in advance of the Council meeting to arrange for assistance. Upon request, in advance, by a person with a disability, City Council meeting agendas and writings distributed during the meeting that are public records will be made available in the appropriate alternative format. Also upon request, in advance, an assistive listening device can be made available for use during the meeting.
- The Council meetings are cablecast live on Channel 26 on the Mountain View Comcast cable system and are replayed on Wednesday at 6:30 p.m. and on Saturday at 11:00 a.m. following that week's Council meeting. If there is a live Environmental Planning Commission meeting on a Wednesday, the replay of the City Council meeting will be on a Thursday at 6:30 p.m. In addition, Council Regular meetings are webcasted, and interested persons may visit the City's web site at www.mountainview.gov to watch the meetings live on their computer, laptop or PDA device. Archived broadcasts of previous meetings may also be accessed and watched on-line.
- The Council may take action on any matter noticed herein, and their consideration and action on the matters noticed herein is not limited by the recommendations indicated in the Agenda or staff report(s). The Council may consider and act on items listed on the agenda in any order and thus all those interested in an item listed on the agenda are advised to be present throughout the meeting (see Policy and Procedure A-13). The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.
- By policy, no new items of business will be started after 10:00 p.m., unless an exception is made by vote of the Council.
- The City Council meeting discs are made solely for the purpose of facilitating the preparation of the minutes of the meetings. The discs are available for members of the public to listen to during regular office hours in the City Clerk's Office and are recycled as necessary.

ADDRESSING THE COUNCIL

- Interested persons are entitled to speak on any action item listed on the agenda and are requested to fill out the blue cards available at the rear of the Council Chambers and deposit them with the clerk or at the podium as soon as completed. This will assure that your name and city of residence are accurately recorded in the minutes and that your interest in speaking is recognized. If you wish to speak and are not recognized by the Mayor, please approach the podium prior to completion of discussion on the item. Speakers are allowed up to three minutes each, and if a large group wishes to express its views, it is more effective to have one spokesperson.
- Items on the "Consent Calendar" are not discussed individually but are approved as a group with one motion. If a citizen wishes to speak on an item on the Consent Calendar, he or she may come to the podium at the time announced by the Mayor and request that the item be pulled for discussion by the Council.
- Anyone wishing to address the Council on a nonagenda item may do so during the "Oral Communications" part of the agenda. Speakers are allowed to speak one time on any number of topics for up to three minutes.
- Reducing Time For Public Input: For any single agenda item and for Oral Communications from the Public, if there appears to be 15 or more speakers and the Council might not be able to conclude the scheduled agenda items for the meeting if speakers were allotted three (3) minutes each, the Mayor may

reduce speaking time to no less than two (2) minutes per speaker unless there is an objection from Council, in which case majority vote shall decide the issue without debate.